

1 NOT FOR PUBLICATION  
2  
3  
4  
5

6 **IN THE UNITED STATES DISTRICT COURT**  
7 **FOR THE DISTRICT OF ARIZONA**

8  
9 Julian E. Gaytan,

10 Plaintiff,

11 v.

12 WF CRD SVC,

13 Defendant.

No. CV-18-00358-PHX-SRB

**ORDER**

14 Plaintiff, Julian E. Gaytan, filed his Amended Complaint on August 20, 2018. On  
15 September 25, 2018 the Court issued an Order for Plaintiff to show cause no later than  
16 October 27, 2018 why this action should not be dismissed without prejudice for failure to  
17 comply with the Court's Order and to prosecute this case. The Court's Order was  
18 returned by the Post Office with the notation "Attempted – Not Known/Unable to  
19 Forward." Plaintiff has not responded to the Court's September 25, 2018 Order.

20 The Magistrate Judge filed her Report and Recommendation on November 5, 2018  
21 recommending that the Amended Complaint be dismissed without prejudice for failure to  
22 comply with Court Orders and to prosecute pursuant to Rule 41(b), Fed. R. Civ. P.

23 In her Report and Recommendation, the Magistrate Judge advised the parties that  
24 they had fourteen days from the date of service of a copy of the Report and  
25 Recommendation within which to file specific written objections with the Court. The  
26 time to file such objections has expired and no objections to the Report and  
27 Recommendation have been filed. The Court finds itself in agreement with the Report  
28 and Recommendation of the Magistrate Judge.

**IT IS ORDERED** adopting the Report and Recommendation of the Magistrate Judge as the order of this Court (Doc. 16).

**IT IS FURTHER ORDERED** dismissing this case without prejudice.

**IT IS FURTHER ORDERED** directing the Clerk to enter judgment accordingly.

Dated this 21st day of November, 2018.

Susan R. Bolton  
Susan R. Bolton  
United States District Judge